

TWENTY-FOURTH DAY.

SENATE CHAMBER,
AUSTIN, February 11, 1874. }

Senate met pursuant to adjournment.
Roll called; quorum present.

Prayer by Rev. Mr. Byrd.

On motion of Senator Ireland, the reading of the journal was dispensed with.

J. D. Miller, who was elected assistant doorkeeper on yesterday, was sworn in.

A message from the House was received, announcing the passage of the following bills: House bill No. 4, "An act to fix the venue in certain cases;" House bill No. 13, "An act to amend sections nineteen and twenty of 'An act regulating elections,'" approved March 31, 1873; House bill No. 77, "An act to amend section one of 'An act to incorporate the Texas Banking and Insurance Company,'" approved June 28, 1870; House bill No. 100, "An act to provide for supplying the records of Limestone county, destroyed by fire;" House bill No. 109, "An act to amend article 757 of 'An act to adopt and establish a penal code for the State of Texas,'" approved August 26, 1856; House bill No. 136, "An act to create and organize the county of Tom Green;" House bill No. 171, "An act to amend section two of an act entitled 'An act to protect the wool growing interest of Texas,'" approved December 28, A. D. 1861.

Senator Baker presented the petition of Mrs. Clemence Toby, and accompanying papers. Referred to Committee on Claims and Accounts.

Senator Stirman, chairman of Committee on State Affairs, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs, have had under consideration the subject of deficiency of contingent fund in the department of State, and find the same to amount to the sum of twelve hundred and sixty-five dollars from the nineteenth day of January to August 31, 1874, as will more fully appear per memorandum of items hereto appended and made a part of this report; your committee have, therefore, instructed me to report the accompanying bill with the recommendation that it do pass.

CAMP, for Committee.

The following is the title of the bill referred to: "An act making an appropriation to pay the contingent expenses of department of State." Read first time.

Senator Ellis, chairman of the Committee on Militia, submitted the following reports:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Militia, to whom was referred House bill No. 111, "An act to authorize the several county courts in this

State to offer a premium for wolf-scalps," instruct me to submit the following amendments to said bill:

First. Amend the caption of said bill by erasing "wolf" and inserting "Indian" in lieu thereof.

Second. Amend section one by erasing the word "wolf" and inserting "Indian" wherever the same occurs, in said section, and by erasing the words "five dollars," and inserting "fifty dollars" in lieu thereof.

Third. Amend sections two and three by striking out the word "wolf," and inserting "Indian," wherever the same occurs in said section.

Fourth. Further amend section three by inserting after the words "burn forthwith the scalp or scalps so passed upon," the following words: "in the presence of at least six freeholders of said county, to be selected by said county court, so that each political party as now, or as hereafter may be organized, may be equally and fairly represented."

Fifth. Your committee further instruct me to recommend that the bill as amended be rejected.

Respectfully submitted.

ELLIS, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Militia, to whom was referred Senate bill No. 113, "An act making an appropriation of six hundred dollars to purchase Winchester rifles for certain persons," has examined said bill, and instruct me to report the same back with the recommendation that it do pass.

Respectfully submitted,

ELLIS, Chairman.

Senator Ireland, chairman Judiciary Committee submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your committee to whom was referred House bill No. 27, "An act to amend an act entitled 'An act to adopt and establish a penal code for the State of Texas,'" approved August 26, 1856, beg leave to report the same back with the recommendation that it do pass.

IRELAND, Chairman.

Senator Stirman, chairman of the Committee on State Affairs, submitted the following reports:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs, to whom was referred Senate bill No. 124, "An act to amend section three of 'An act to provide for the payment of the public debt of the State of Texas,'" approved May 8, 1871, approved November 13, 1871, have carefully examined and considered the same and instruct me to report it back, with the recommendation that it do not pass.

All of which is respectfully submitted.

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs, to

whom was referred Senate bill No. 132, "An act to amend section five of 'An act to regulate the assessment and collection of taxes,' approved May 31, 1873, have carefully examined and considered the same, and a majority of your committee instruct me to report it back, with the recommendation that it do not pass.

All of which is respectfully submitted.

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs, to whom was referred the memorial of the citizens of Polk county, asking for the enlargement of the Lunatic Asylum, have carefully examined and considered the same, and being of the opinion that ample provisions have been made for the care and maintenance of the lunatics of Texas, instruct me to report it back with the recommendation that it do not pass.

All of which is respectfully submitted.

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your committee to whom was referred the memorial of John H. Brown, have carefully examined the same, and being of the opinion that it is in conflict with the Constitution; and also, that there is a general promise covering his case, instruct me to report it back with the recommendation that it do not pass.

All of which it respectfully submitted.

W. B. STIRMAN, Chairman.

Senator Randle, chairman of Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills beg leave to report that they have carefully examined and compared Senate joint resolution No. 76, "Joint resolution asking our Senators and Representatives in Congress to procure an appropriation by Congress to improve the navigation of Soda Lake and Cypress Bayous," and find the same correctly engrossed.

ED. RANDLE, Chairman.

Senator Russell introduced a bill, entitled "An act to protect the frontier of the State of Texas." Read first time, referred to Committee on Frontier Protection, and one hundred copies ordered printed.

Senator Ball introduced a bill entitled "An act to provide for the payment to James J. Gathings, of Hill county, money illegally extorted from him by the State police." Read first time and referred to Committee on Claims and Accounts.

Senator Ball introduced a bill, entitled "An act to organize unorganized or disorganized counties within the State of Texas." Read first time and referred to Committee on Counties and County Boundaries.

Senator Erath moved to reconsider the

vote of yesterday, electing an assistant doorkeeper. Laid over under the rules.

Senator Moore introduced a bill, entitled "An act regulating the sale of intoxicating liquors within a certain distance of any school, college, or seminary of learning within the State, other than at a county seat." Read first time and referred to Judiciary Committee.

Senator Dillard, chairman of Committee on Privileges and Elections, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Privileges and Elections, to whom was referred the consideration of the case wherein Z. Hunt is the contestant and Walter M. Burton the contestee for the position of State Senator, from the Thirteenth Senatorial District, have maturely considered the same and beg leave to submit the following report:

At the opening of the case, your committee were asked, by contestant's counsel, to seat Mr. Hunt as the member from said district, upon the ground that the certificate of election showed upon its face that Z. Hunt received more votes than the said Burton, and that it would be necessary to seat one of the parties before the question of a regular contest could be properly entertained by them. This motion was overruled, for the reason that, although the certificate held by Burton was, on its face, defective, yet certifying, as it did, his election, it was deemed sufficient, until challenged, to entitle him to a seat in the Senate; the committee holding, unanimously, that the right to a seat, as well as the right and possession together, might be inquired into by the Senate without seating either party. Entertaining this view, contestant was informed that he might proceed to contest the right of the said Burton to the said seat, under the statute of A. D. 1873, as this was the proper mode to confer jurisdiction over the case; whereupon contestant filed his notice of contest, which was answered in due form by the contestee, and thenceforward the investigation of the case was conducted according to the provisions of the statute of A. D. 1873, made and provided to govern in such cases.

Both parties were allowed to take all the testimony, oral and written, pertinent to the issue, which they desired; and, at the instance of the parties, the tally sheets and ballots, kept and cast in the several counties composing the said Senatorial district, were brought before your committee for the purpose of aiding them in arriving at a proper conclusion. From an actual inspection of the ballots cast, in said district, they find the votes polled for Senator were as follows:

Austin county W. Burton, 605 votes, which said ballots were originally printed

plainly William Burton, and afterwards, all the christian name (William) obliterated except the capital "W.;" Z. Hunt received 1167 votes, and William Burton, written in full, received 1 vote.

Fort Bend county—W. M. Burton received 973 votes; Wm. Burton 180 votes, and Z. Hunt 252 votes.

Wharton county—Walter M. Burton received 108 votes, which were printed "W. M. Burton;" William Burton received 154 votes, and Z. Hunt 281 votes.

Waller county—William Burton received 664 votes, which were printed in full "William Burton," and Z. Hunt received 238 votes.

From this summing up of all the votes cast it follows that Mr. Hunt is elected by a majority of 72 votes over Walter M. Burton, the contestee.

Your committee, however, is asked by contestee's counsel, from extrinsic evidence, *dehors* the ballot, to count the votes cast for William Burton for Walter M. Burton, which votes, they allege, were unintentionally cast for said William—the voters thinking they were voting for the said Walter M. Burton.

Upon an examination of the authorities, your committee were lead to the conclusion that extraneous evidence was admissible to explain the intention of the voters where initial letters were used upon the ticket for the Christian name of the party intended to be voted for, which initials might be applied to more than one person, and, also, to explain an imperfect ballot; and, acting under this rule of law, which seems to be firmly established by precedent, they permitted the contestee to introduce evidence to show for whom the parties in this instance intended to vote, when the ballots cast were for W. Burton, W. M. Burton and Wm. Burton. (*Vide People ex. rel. Yates v. Ferguson*, 8 Cowen. N. Y., 106; 1 Doug., Mich., 59; 3 Mich. 235; 16 Id. 298, 303, 307, 310, 312; 5 Hill, N. Y., 625; 5 Ohio, Ham., 358; 22 N. Y., 309; 27 Id., 45-85; 38 Mo., 507; 5 Denio, N. Y., 412; 4 Cowen, N. Y., 323; 23 Wend., N. Y., 227; 3 Hill, N. Y., 47; Cooley's Cons. Lim., 605, 606, 607, 608, 609, 610n.)

In summing up the vote, acting upon this rule of law, and upon the testimony, they gave to the contestee all the votes cast for W. M. Burton, W. Burton and Wm. Burton; but when they are asked, also, to allow the contestee all the votes cast for "William" Burton, printed in full and showing a perfect ballot on its face, they feel constrained by the strong current of decisions pronounced by strong supporters of constitutional government, for the purpose of protecting the privacy of the ballot box, and the purity of elections, to advance no farther in that direction.

While we are frank to concede that there is one authority (*Carpenter v. Eley*, 4 Wis., 427,) which, though not in all respects analogous, seems to be at variance with the conclusions which we have reached in this case, still we are satisfied that, upon principle, as well as upon authority, we are correct. That, under our law, the secrecy of the ballot was intended to be held inviolable is apparent from sections thirteen and fifteen, election act of 1873.

We have given the matter the most earnest and patient attention, and, from all the lights before us, believe that to adopt any other course than that we respectfully recommend, would be setting a dangerous precedent, which would soon lead, not only to the subversion of the secrecy and purity of the ballot, but to perjury and fraud, which, from the nature of the case, it would be impossible to check, thereby frustrating and preventing, in many instances, the fair expression of the popular will.

We therefore recommend the adoption of the following resolutions:

1. *Resolved*, That Z. Hunt is entitled to the position of Senator from the Thirteenth Senatorial District, and that he be permitted to qualify and take his seat as such immediately.

2. *Resolved*, That he, the said Z. Hunt, be allowed mileage and his *per diem* pay from the commencement of the session.

J. E. DILLARD, Chairman.

C. A. PARKER.

Senator Dillard moved that one hundred copies of the report be ordered printed, and that it be made the special order for next Monday at 11 A. M., and that the parties to the contest be allowed to appear in person, or by attorney, in behalf of themselves, at the bar of the Senate and plead their cause. Carried.

Senator Hobby stated that a dissenting report would be made on to-morrow by one-half of the Committee on Privileges and Elections, and would report in favor of seating Burton.

Senator Morris introduced a bill, entitled "An act to exempt from taxation the tools and implements of trade of farmers and mechanics. Read first time and referred to Committee on State Affairs.

(Senator Flanagan in the chair.)

Senator Baker introduced a bill, entitled "An act to regulate the quarantine of cities, towns and villages in the interior of the State." Read first time and referred to Judiciary Committee.

Senator Bradshaw introduced a bill entitled "An act to amend 'An act to establish and maintain a system of public free schools in the State of Texas,'" passed April 30, 1873. Read first time and referred to the Committee on Education.

Senator Dwyer moved to have the rules

suspended to take up the bill introduced by Senator Russell, in regard to frontier protection. Carried. Rules suspended, and, on motion of Senator Dwyer, one hundred copies ordered printed.

ORDERS OF THE DAY.

Senate joint resolution No. 43, "Making an appropriation to repair and refurnish the Executive mansion," and House amendments thereto, was read and the amendments concurred in.

(Mr President in the chair.)

Senate bill No. 41, "An act to regulate special elections in counties, cities and towns for the construction of railroads and other works of internal improvements," and accompanying report, recommending that said bill do pass, was read, and, on motion of Senator Stirman, was referred to Judiciary Committee.

Senate bill No. 68, "An act for the preservation of birds and game," and report of committee that bill do not pass, was read second time, and, on motion of Senator Flanagan, was referred to the Judiciary Committee.

The President withdrew the appointment of Senator Russell, in the case of the impeachment of Judge Wheeler, and appointed Senator Ireland.

Senate bill No. 70, "An act for the relief of the several justices of the peace of the several counties in this State, making a list of the scholastic population of their respective counties, for the years A. D. 1872 and 1873," was read second time and ordered engrossed.

Senator Russell, by leave, presented an address for the removal of J. J. Thornton, Judge of the Twenty-fourth Judicial District, viz.:

To his Excellency, Richard Coke, Governor:

The Senate of the State of Texas, the House of Representatives concurring therein, do address your Excellency, and charge that one J. J. Thornton, district judge of the Twenty-fourth Judicial District, a citizen and resident of the county of Medina, State of Texas, is unfit to hold said office; and we, the Senate and House of Representatives, reserving the right to hereafter prefer additional charges and causes for removal, do request that the said J. J. Thornton be removed from his office as judge aforesaid, for the following reasons:

First, Because he, the said J. J. Thornton, district judge of the Twenty-fourth Judicial District of the State of Texas, by reason of being afflicted, for the last two years, and now, with paralysis, or other disease, producing such physical debility and mental imbecility that he is now, and has been for the two years past, totally unfit and unable, both mentally and physically, to perform the labor and duties necessary and required for the efficient perform-

ance of the high functions pertaining to the office of district judge as aforesaid; that by reason of such physical debility and mental imbecility he, the said Thornton, has fallen into a stupor or sleep while sitting on the bench as judge aforesaid, and during the hearing of a cause in the court as aforesaid; and he, the said Thornton, did so fall into a stupor or sleep while on the bench as such judge, during the May term, A. D. 1873, of the district court in and for Uvalde county, State of Texas, and while the case of Friedlander v. Cornell, the same being on the docket of said court for trial, was on hearing before him as such judge, and in which sleep or stupor he did remain for near two hours. And so the Senate and House of Representatives do say that the said J. J. Thornton, judge of the Twenty-fourth Judicial District, by reason of such physical infirmity and mental imbecility is unfit longer to hold said office.

Second, That the said J. J. Thornton, judge of the Twenty-fourth Judicial District of the State of Texas, has, with a few exceptions, wholly failed and neglected to hold the term of the district court, as required by law, and as it was his duty to do, in the several counties composing the Twenty-fourth Judicial District, as aforesaid, from the months of December, A. D. 1871, to January, A. D. 1874; the particular terms of said court, which the said Thornton, judge as aforesaid, has so failed and neglected to hold will be hereafter specified, and of which due proof will be made. And so the Senate and House of Representatives of the State of Texas do say that the said J. J. Thornton, district judge as aforesaid, by reason of such failure and neglect to perform the duties required of him by law, is not fit to hold office as district judge aforesaid, and should be removed therefrom.

Third, The said J. J. Thornton, district judge of the Twenty-fourth Judicial District of the State of Texas, at the May term of the district court, A. D. 1873, in and for the county of Uvalde, while the petit jury were considering the case of the "The State of Texas v. Victoriano Martinez," the said jury having retired to consider of their verdict in said case, and the said Martinez being charged with a felony, did unlawfully cause to be brought out of the members of the jury aforesaid, to-wit: John Burchfield, away from the said jury and from where the said jury were considering of their verdict, into his room at the hotel, in the town of Uvalde, county and State aforesaid, at a late hour of the night, and did then and there, having the said Burchfield, separate and apart from the jury in the case aforesaid, and he, the said Burchfield, being a member of said jury, and not in open court, did

converse, counsel and advise with the said Burchfield in regard to the case then before said jury for their consideration, to-wit: the case of "The State of Texas v. Victoriano Martinez," the same being a criminal case and standing for trial on the docket of the court aforesaid. And so the Senate and House of Representatives do say that by reason of the aforesaid unlawful and improper acts and doings of the said J. J. Thornton, judge of the district court as aforesaid, do say that he is unworthy of the high office he holds as judge aforesaid, and do request and demand his removal therefrom.

Senator Russell offered the following resolution:

Resolved, That the address of the Senate and House of Representatives of the State, requesting the removal of J. J. Thornton, district judge of the Twenty-fourth Judicial District, be entered upon the journals of both houses of this Legislature, and that said J. J. Thornton, judge as aforesaid, be served with a copy of said address, and that citation issue requiring him, the said Thornton, to appear before the proper committee, within the time required by the rules governing such cases, and show cause, if any he has, why such address should not be adopted; and that a committee of three from the Senate and five from the House of Representatives be appointed to consider said address and conduct proceedings thereon.

Resolution adopted, and Senators Russell, Friend and Davenport were appointed as the committee in said case.

Senate joint resolution, to instruct the Attorney General to bring suit against James Davidson, was read second time and ordered engrossed.

On motion of Senator Ireland, the rules were suspended, resolution read third time and passed.

Senate bill No. 60, "An act concerning the forfeiture of certain sheep and goats," was read second time and ordered engrossed.

The petition of citizens of Cameron county, asking that the auditorial board be reconstituted, and the time for presentation of claims thereto extended, was read, and accompanying report of Committee on State Affairs, that said bill do not pass, was also read, and the petition was, on motion of Senator Russell, referred to the Judiciary Committee.

The petition of the citizens of Starr county, and accompanying report of the Committee on State Affairs, that it do not pass, was read second time, and on motion of Senator Russell, was referred to the Judiciary Committee.

Senator Randle, chairman Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills beg leave to report that they have carefully examined and compared Senate bill No. 78, "An act to define the land districts of Palo Pinto, Jack, Clay, Young and Eastland, and to make valid the surveys and locations made therein," and find the same correctly engrossed. ED. RANDLE, Chairman.

Senate bill No. 30, "An act concerning landlords and tenants," was read second time.

Senator Parker offered the following amendment: Strike out "landlord," in the caption, and wherever it occurs in the bill, and insert "landowner."

The bill, as amended, was then ordered engrossed, and, on motion of Senator Swift, was made special order for next Saturday, at 11 o'clock A. M.

House bill No. 58, "An act validating the authentication and registration of certain instruments of writing," was read second time and passed to third reading.

Senate bill No. 80, "An act to prevent speculation by officers or agents in county, city or town contracts or liabilities," was read second time and ordered engrossed.

Senate bill No. 75, "An act to amend 'An act prescribing times of holding district courts,'" approved November 25, 1871, was read second time, amendments of the committee adopted and bill ordered engrossed.

Senate bill No. 34, "An act to regulate proceedings in the district courts," was read second time, report of committee, that bill do not pass, was adopted, and bill lost.

Senate bill No. 91, "An act for relief of purchasers of university lands," etc., was read second time, and, on motion of Senator Westfall, was laid on the table, and one hundred copies ordered printed.

House bill No. 20, "An act repealing an act entitled 'An act to prohibit the sale or giving away of spirituous, vinous, malt and other intoxicating liquors within two miles of certain places therein named,'" passed May 31, A. D. 1873, was read second time, and, on motion of Senator Westfall, the rules were suspended, read third time and passed.

Senate bill No. 111, "An act to amend 'An act incorporating Georgetown,'" was read second time. Also, report of committee that the bill do not pass, was read, report of committee adopted, and the bill lost.

Senate bill No. 89, "An act to incorporate the Southwestern and Rio Grande Railroad Company," was read second time, and the amendments of the committee adopted.

Senator Swift moved to amend by inserting the name of "Fred. Voight." Adopted.

On motion of Senator Parker, one hundred copies were ordered printed, and made

special order for 11 o'clock A. M. on Saturday next.

Senator Allison offered the following resolution:

Resolved, That, in future, the Senate will consider no bill to incorporate a railroad company, until it has been printed by the parties presenting it, and copies placed on the desks of Senators.

Senator Flanagan moved to lay the resolution on the table. Lost by the following vote:

Yeas—Senators Culberson, Flanagan, Parker and Swift—4.

Nays—Senators Allison, Ball, Baker, Bradshaw, Camp, Davenport, Dillard, Dwyer, Ellis, Erath, Friend, Hobby, Ireland, Leebetter, Morris, Moore, Randle, Russell, Stirman and Westfall—20.

Absent, not voting—Senators Bradley, Trolinger and Wood.

On motion of Senator Ireland, the resolution was then adopted.

Senator Flanagan offered the following resolution:

Resolved, That the sergeant-at-arms be required to have the cistern belonging to the State House cleaned out and prepared to receive water.

Adopted.

Senator Culberson presented the following dispatch from his royal highness, Alphonso Dusuc:

JEFFERSON, TEXAS, February 10, 1874.

To Hon. Culberson and Epperson:

His royal highness, Comus Rex, decrees that you invite the officials and Representatives to the grand carnival on the seventeenth inst.

(Signed)

ALPHONSO DUSUC.

Grand Secretary.

On motion of Senator Ellis, the Senate adjourned to 10 o'clock A. M. to-morrow.

TWENTY-FIFTH DAY.

SENATE CHAMBER.

AUSTIN, February 12, 1874.

Senate met pursuant to adjournment. Roll called; quorum present.

Prayer by the chaplain.

On motion of Senator Ball, the journal of yesterday was not read.

Senator Westfall presented a petition "In regard to line of Burnet and Lampasas." Read and referred to Committee on Counties and County Boundaries.

Senator Swift presented a petition from citizens of Rusk county, in regard to a formation of a new county. Read and referred to Committee on Counties and County Boundaries.

Senator Randle, chairman Committee on Engrossed Bills, made the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills beg leave to report that they have carefully examined and compared Senate bill No. 80, "An act to prevent speculations by officers and agents in county, city and town contracts and liabilities," and find the same correctly engrossed.

ED. RANDLE, Chairman.

Senator Stirman, chairman of Committee on State Affairs, submitted the following reports:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs, to whom was referred House bill No. 88, "An act to create a lien in favor of the proprietors of livery or other public stables," having carefully considered and examined the same, report it back, with the following amendment, to-wit: amend, by inserting that, "hotel and boarding house keepers have the same lien upon all property or baggage deposited with them," and recommend its passage as amended.

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs, to whom was referred Senate bill No. 84, entitled, "An act to fix the compensation of members of the Legislature," having carefully examined and considered the same, instruct me to report it back, with the recommendation that it be laid on the table.

All of which is respectfully submitted.

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs to whom was referred "the petition for the relief of Wm. C. Crawford," have carefully examined and considered the same, and being of opinion that ample provision is made by the general pension law for all claims of this class, instruct me to report it back with the recommendation that the petition be laid on the table.

All of which is respectfully submitted,

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs, to whom was referred the memorial of J. M. Wilson, "asking the Legislature to purchase certain patents issued to Dr. J. E. Park," have carefully examined and considered the same, and being of the opinion that they have not the power, under the Constitution, to make such purchase; and, even should such power exist, they doubt the propriety of its exercise, your committee, therefore, instruct me to report it back, with the recommendation that it be laid on the table.

All of which is respectfully submitted,

W. B. STIRMAN, Chairman.

Senator Swift, chairman Committee on Claims and Accounts, submitted the following reports: